

ARGUMENTS/REMARKS

Claims 1, 7, 9, 13, 15, 19, 24, 25, 28-31, 33, 39, 40, 44, 45, 47, 50, 51 and 54-56 are pending in the application and are presented for examination upon entry of the present amendment. Claims 2-6, 8, 10-12, 14, 16-18, 20-23, 26, 27, 32, 34-38, 41-43, 46, 48, 49, 52, and 53, have been cancelled without prejudice. Claims 55 and 56 are new. Claims 1 and 33 are independent.

Claim objections

The office action objects to claims 26, 29 and 44 for formalities. Claim 26 is cancelled, thus rendering the objection thereto moot. Claim 29 now recites an appropriate conjunction between phrases. Claim 44 is amended for clarity. Applicants are requesting that the objections be withdrawn.

Claim rejection – 35 USC §112

Claim 29 has been amended to depend from claim 1, and to require “the business analysis device” instead of “the content analysis device”, thus providing antecedent basis.

Present claim 1 requires an at least one interaction retrieval device that retrieves the at least one first interaction, the at least one second interaction, and the at least one integrated interaction recorded by the recording and logging device. In turn, the logging device "stores the at least first interaction, the at least one second interaction[.]" The interactions themselves are captured by first and second media-type capturing devices. In this manner, the interactions are captured by one device, recorded by a next device, and ultimately retrieved by a final device. Applicants submit that chaining of input between these devices defines a structural connection therebetween. Reconsideration and withdrawal of the § 112 rejection of claim 1 are solicited.

Claims 7, 9, 13, 15, 19, 24, 25, 28-31 depend from claim 1. For at least the reason of such dependence, withdrawal of the § 112 rejection of such claims is solicited. Claim 32 is canceled, rendering the § 112 and any other rejection thereof moot.

Claim rejection – 35 USC §101

Present claim 1 requires an at least one first media-type capturing device for capturing an at least one interaction. Present claim 1 further provides that the first media-type capturing device is selected from the group consisting of: a telephone, a fax, an e-mail server, an analog video camera, a digital video camera, an analog audio microphone, and a digital audio microphone. Support for this feature of claim 1 can be found at ¶0044 of the Specification.

For at least the reason that the first media-type capturing device required by present claim 1 is clearly directed to apparatus that is statutory under §101, Applicants respectfully submit that present claim 1 as a whole is sufficiently tied to a statutory class to overcome the Office Action's rejection under §101. Reconsideration and withdrawal of the §101 rejection of claim 1 are respectfully solicited.

Claims 7, 9, 13, 15, 19, 24, 25, 28-31 depend from claim 1, and for at least the reason of such dependence are also directed to statutory matter. Applicants request also the reconsideration and withdrawal of the §101 rejection of these claims.

Present claim 33 requires, in pertinent part, capturing an at least one first interaction at by a first interaction capturing device. Present claim 33 further provides that the first interaction capturing device is selected from the group consisting of: a telephone, a fax, an e-mail server, an analog video camera, a digital video camera, an analog audio microphone, and a digital audio microphone. Support for this feature of claim 33 can be found at ¶0044 of the Specification.

For at least the reason that the first interaction capturing device is clearly directed to apparatus that is statutory under §101, Applicants respectfully submit that present claim 33 as a whole is sufficiently tied to a statutory class to overcome the Office Action's rejection under §101. Reconsideration and withdrawal of the §101 rejection of claim 1 are respectfully solicited.

Claims 39, 40, 44, 45, 47, 50, 51 and 54 depend from claim 33, and for at least the reason of such dependence are also directed to statutory matter. Applicants request also the reconsideration and withdrawal of the §101 rejection of these claims.

Claim rejection – 35 USC §102

The Office Action rejects claims 1-5, 9-12, 14-18, 20, 24, 28, 30-38, 42, and 50-54 under 35 U.S.C. 102 as being anticipated by US7,421,660 to Charnock et al. (“Charnock”). Applicants are respectfully traversing this rejection.

Present claim 1 requires first and second media-type capturing devices. Charnock is directed to a method and apparatus for organizing information, and does not require capture devices, since its starting point is documents which are already stored. Charnock relates to “documents” and not to interactions, see for example col. 3 lines 35 and following: “*visualizing both the **electronic paper trails** referred to as ‘discussions’...causally related communications and events for which either **electronic evidence exists, or can be created to reflect.**”*

Present claim 1 further requires an integration device for integrating the interactions, thus creating an integrated interaction. The integrated interaction can be stored, retrieved, and played. The integrated interaction enables the full reconstruction of the interactions associated with a transaction, thus enabling misconduct analysis, dispute resolution, or the like. Charnock links interactions for visualization purposes, but does not integrate them into a unified interaction, as required by claim 1.

Further claim 1 provides for the first and second interactions being captured from separate communication channels. As detailed in ¶0060 of the current Specification, the integration of interactions of different channels is not straight forward. Such an integration is not taught by Charnock.

Present claim 1 further requires a time synchronization device. Charnock handles stored documents, and does not disclose their capturing. A stored document has an automatic time stamp and no synchronization is required. In present invention, however, a synchronization device, is used for synchronizing the various elements of the system, and in particular the capturing devices in order to ensure correct timing of the captured interactions. Therefore Charnock does not and cannot disclose a synchronization device. In particular, Charnock does not and cannot teach synchronizing interactions captured from different communication channels, as required by present claim 1.

Present claim 1 also requires a playback device for playing back the interactions. Charnock discloses playing back, but not of the interactions as captured, but rather some lossy processing product thereof, such as text-to-speech or spoken synthesis. *See* Charnock at col. 31 lines 30-38.

Charnock also does not teach an association device, which is required by claim 1, for associating the interactions with a transaction. Figure 1, mentioned in the Office Action in the discussion of former claim 2, does not relate to financial transactions.

In view of the foregoing, Applicants respectfully submit that Charnock does not disclose claim 1. Reconsideration and withdrawal of the §102 rejection of claim 1 are respectfully requested.

Claims 2-5, 10-12, 14, 16-18, 20-23, and 32 have been cancelled, which renders their rejection moot.

Claims 9, 15, 24, 28, 30 and 31 depend from claim 1 and, for at least the reason of such dependence, are also patentable over the Charnock.

Further, the dependent claims contain additional features absent from the art of record. For example:

Claim 15 requires a notification message-generating device. The Office Action states that Charnock at col. 7 lines 5-52 teaches where the status can be a notification. Applicants respectfully

disagree. Charnock teaches wherein the actor is a system or an automated process, such as a daemon sending out status messages. Thus, the status/notification message in Charnock is one of the handled interactions while in the disclosed application, the notification message is sent as an alert according to the results of the analysis.

Claim 20 requires a monitoring device for monitoring in real-time the first or second interactions. Charnock discloses viewing a stored interaction, while monitoring relates to observing and checking over a period of time, as disclosed for example in ¶0060 of the current application. Since Charnock teaches analyzing stored documents, Charnock does not and cannot teach monitoring interaction in real-time.

Reconsideration and withdrawal of the 102 rejection of claims 9, 15, 24, 28, 30 and 31 are respectfully requested.

The same arguments as for claim 1 are also applicable towards claim 33. Charnock, does not disclose integrating the interactions into an integrated interaction, and in particular integrating interactions captured from separate channels.

Further, Charnock does not teach capturing the interactions, synchronizing the interactions, recording the interactions, or playing back the interactions.

Claims 34-38, 42, and 52-53 have been cancelled, which renders their rejection moot.

Claims 50, 51 and 54 depend from claim 33. For at least the reason of such dependence, these claims are also allowable. Reconsideration and withdrawal of the §102 rejection of these claims are earnestly solicited.

Claim rejections, 35 U.S.C. § 103

The Office Action rejects claims 6-8, 13, 19, 21-23, 25-27, 29, 30, 39-41 and 43-48 under § 103 as being unpatentable over Charnock in view of U.S.6,115,693 of McDonough ("McDonough").

In constructing the §103 rejection of these claims, which depend either from claim 1 or 33, the Office Action reasserts the same analysis of Charnock as used to form the §102 rejection discussed *supra* with respect to the independent claims, and introduces McDonough ostensibly to supply various features lacking from Charnock itself.

As discussed above with respect to the independent claims, Charnock is inoperative to disclose features of the independent claims. Even assuming, *arguendo*, that McDonough is operative to teach the additional features asserted by the Office Action, nevertheless McDonough is inoperative to remedy Charnock's inability to disclose, or to teach, the features common to the independent claims and the claims depending therefrom.

McDonough does not cure the deficiencies of Charnock, and does not teach the integration of two or more interactions, particularly interactions captured from two separate communication channels. McDonough is also inoperative in disclosing capturing the interactions, synchronizing the interactions, recording the interactions, or playing back the interactions.

Thus, Applicants respectfully submit that dependent claims 7, 19, 25, 29-30, 39-40, 44-45 and 47 are patentable over Charnock and McDonough, taken either singly or in the cited combination.

Claims 6-8, 21-23, 26-27, 41, 43, 46 and 48 have been cancelled, which renders their rejection moot.

New claims 55 and 56 depend from claims 1 and 33, respectively, and require that the interactions constitute screen events, which are events indicating activity on the screen of the trader and enable the reconstruction of the trader's usage of the system. Support for screen events is found at least at ¶0039, ¶0054 and ¶0060 of the Specification.

Applicants submit that the application is now in condition for allowance. Passage of the claims to allowance is respectfully requested.

If for any reason the Examiner feels that consultation with Applicants or the Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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Date

Charles N.J. Ruggiero
Charles N.J. Ruggiero, Esq.
Reg. No. 28,468
Attorney for the Applicants
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: 203-327-4500
Fax: 203-327-6401